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Attorneys for Plaintiff Christopher Baker

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

CHRISTOPHER BAKER,

Plaintiff,

vs.

LOUIS KEALOHA, as an individual and
in his official capacity as Honolulu Chief
of Police;
STATE OF HAWAII;
CITY AND COUNTY OF HONOLULU;
HONOLULU POLICE DEPARTMENT;
NEIL ABERCROMBIE, in his official
capacity as Hawaii Governor,

Defendants.

} CASE NO. 11-00528 ACK-KSC

} PLAINTIFF CHRISTOPHER
} BAKER'S SCHEDULING
} CONFERENCE STATEMENT

} Scheduling Conference

} Date: November 28, 2011

} Time: 9:00 a.m.

} Magistrate Judge Kevin S.C. Chang

SCHEDULING CONFERENCE STATEMENT

COMES NOW the Plaintiff, Christopher Baker, by and through the undersigned counsel, pursuant to Rule 16 of the Federal Rules of Civil Procedure and Rule 16.2 of the Local Rules of this Court, and submits the following Scheduling Conference Statement:

I. STATEMENT OF THE CASE

Mr. Baker was denied a firearms permit in violation of his Second Amendment Rights. Mr. Baker was not provided with any hearing nor notice of the reasons for the denial during the application process or thereafter, in violation of the Fifth and/or Fourteenth Amendments to the United States Constitution. The laws upon which the denial was based are also unconstitutional. And, Mr. Baker continues to be prohibited, under threat of criminal prosecution, from exercising his Second Amendment rights due to unduly restrictive and prohibitive Hawaii gun laws and those prohibiting commonly used non-lethal weapons. Thus, Mr. Baker has brought this case pursuant to 42 U.S.C. 1983.

II. STATEMENT OF JURISDICTION

This Court has original jurisdiction over Mr. Baker's federal claims pursuant to 28 U.S.C. 1343(a)(3). Venue is appropriate because the events described in the Complaint occurred in Honolulu.

III. JURY TRIAL

No party has demanded a jury trial.

IV. DISCLOSURES

The parties have met and discussed disclosures. Mr. Baker has requested admissions, documents, and propounded interrogatories as set forth below. Mr. Baker had also prepared a Discovery Plan to be filed with this Court. However, despite having received at least one reply to the e-mail to the Defendants regarding the Discovery Plan, the Defendants have not expressed agreement with the plan. Mr. Baker will make the relevant documents and things in his possession, custody, or control, if any, available to Defendants at a mutually agreeable time and place.

V. DISCOVERY AND MOTIONS

As noted above, on October 25, 2011, the parties met and discussed disclosures. At that time, Mr. Baker propounded his First Set of Interrogatories, First Request for Admissions, and First Request for Production of Documents. Those responses are due the week of November 21, 2011.

Mr. Baker filed a Motion for Preliminary Injunction on August 30, 2011. [Doc. 5] Defendants Louis Kealoha, City and County of Honolulu, and Honolulu Police Department filed a Motion to Dismiss Mr. Baker's Complaint on September 21, 2011. [Doc. 15] Defendants State of Hawaii and Gov. Neil Abercrombie filed a Motion for Judgment on the Pleadings on September 28, 2011 [Doc. 18] Each of these motions is scheduled to be heard by Judge Kay on January 17, 2012.

VI. SPECIAL PROCEDURES

Mr. Baker is unaware of any relevant special procedures and takes no position at this time regarding the appropriateness of any of the special procedures or other matters specified in FRCP Rule 16(c) and Local Rule 16.2.

VII. RELATED CASES

Mr. Baker is unaware of any related pending cases in any state or federal court.

Dated: Honolulu, Hawaii; November 22, 2011

/s/ Richard L. Holcomb

Richard L. Holcomb
Attorney for Plaintiff
Christopher Baker

/s/ KEVIN O'GRADY

Kevin O'Grady
Attorney for Plaintiff
Christopher Baker

(iii) a computation of each category of damages claimed by the disclosing party — who must also make available for inspection and copying as under [Rule 34](#) the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; and

I. INSURANCE

Mr. Baker has no known insurance agreements with any person or company which would render that person or company liable for any claims in this case.

Dated: Honolulu, Hawaii; November 22, 2011

/s/ Richard L. Holcomb

Richard L. Holcomb
Attorney for Plaintiff
Christopher Baker

/s/ KEVIN O'GRADY

Kevin O'Grady
Attorney for Plaintiff
Christopher Baker